



## South Asia: State of minorities

Shilpi Ghosh

MA in International relations, Jawaharlal Nehru University, Delhi, India

### Abstract

The following article focuses on the condition of minorities characterized by their own national, ethnic, linguistic or religious identity in South Asia. It focuses on the status of minorities with regard to recognition of their identity and cultural rights, political participation and representation, economic opportunities and security. This recent upsurge in intolerance and extremism against the minority group and refugee crisis has caught world attention towards this region.

**Keywords:** minorities, extremism, discrimination, rights, identities

### Introduction

On 6<sup>th</sup> March 2018, Sri Lanka was declared to be in state of emergency. This decision was taken to curb the recent growing anti-Muslim violence in Sri Lanka. On 5 March, a mob set homes, shops and a mosque belonging to the local Muslim community ablaze, which marked as the second serious incident of violence against a Muslim community in the country over the past week. "The Sri Lankan authorities must put an end to the impunity enjoyed by groups that incite hatred and carry out acts of violence against religious minorities. They have a duty to protect vulnerable groups and hold the perpetrators accountable. The failure to hold to take action against these groups has only emboldened them further and plunged minorities in a deeper state of fear. This is not the first time such horrors have been visited upon the country's Muslim minority" said Dinushika Dissanayake, Amnesty International's Deputy South Asia Director <sup>[1]</sup>.

The most well accepted definition of minorities, that by the Special Rapporteur on Prevention of Discrimination and Protection of Minorities is: a group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members – being nationals of the state - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and maintain, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language <sup>[2]</sup>.

South Asia being the home to large numbers of minorities, time and again suffers such instances across the region where many of the religious, ethnic, linguistic and indigenous minorities, particularly women and the poor, face marginalization and suffer the worst forms of exclusion. They are not only abused and discriminated in the socio-economic sphere, but also witness the denial of the most basic human rights. This is one of the biggest factors behind much of the internal and external conflicts in the region, yet there is a lack of action and appropriate laws to address these issues at both the regional and national levels.

### Contesting identities of minorities and their rights

All countries in the South Asian region provide a guarantee of life and security to all their citizens including minorities. Yet there is widespread physical violence and denial of right to life disproportionately of members of minority communities across the region. Their civil and political rights are severely restricted, with frequent reports of human rights violations across the region.

South Asian minorities suffer doubly, on the one hand various Government reports, research analysis including media reports point to South Asia's minorities being among the poorest and most vulnerable sections in the region and on the other they are also the victims of most conflicts and violence and atrocities by state and non-state actors.

"The increasing infringement of the rights of minorities in the countries of South Asia... has been a matter of considerable concern....In fact, the history of minorities in South Asia is a history of increasing discrimination and deprivation....." as quoted by Panikkar <sup>[3]</sup>.

Minority Rights are very essential for democratization and also important element for inclusive development in any region. Right to identity, culture, conscience and religious freedom is a key minority right. Language affiliations and freedoms make another important factor of minority rights. Like the case of Tamil ethnic conflict in Sri Lanka which too had its roots in the linguistic policies of the Sri Lankan state restricting Tamil language. Bangladesh's national identity has been influenced by Bengali language and culture, with the former playing a central role. More recently, religion – Islam in this case – has been increasingly becoming a central element of national imagination so much so that commentators talk of a change in national imagination from 'Bengali' nationalism to 'Bangladeshi' <sup>[4]</sup>. Non-discrimination in accessing services and opportunities is a very important minority right. Giving minority communities adequate representation and role in decision making in governing institutions is a key determinant of minorities' realization of

equality and well-being. Muslims in India are not discriminated formally in attaining political and public office, yet they are very poorly represented in elected assemblies at national, state and local levels <sup>[5]</sup>.

Poor rights for minorities are one of the most critical factors leading to the conflicts in the region. There have been long histories of struggles and negotiations between government and minority community that have resulted in series of agreements between the two. Like, the Mizo Peace Accord, and that for linguistic accommodation in India; the Chittagong Hill Tracts Peace Accord in Bangladesh; and the Comprehensive Peace Accord in Nepal – have been about agreements on arrangements that guarantee to provide better living conditions for minorities <sup>[5]</sup>.

Trans-border including migration issues also lead to formation of several minority communities that are often deprived of identity and basic rights. After the Partition of India and Pakistan and also the creation of Bangladesh in 1972 the regional dynamics of minority changed completely. Muslims in India; Hindus and Sikhs in Pakistan; Hindus and 'Urdu speakers' in Bangladesh are the minority sections. A similar situation can be seen in the case of Tamil minority between India and Nepal, Madhesis between Nepal and India; Ngalungs between Nepal and Bhutan and Pashtun minority between Pakistan and Afghanistan.

Various South Asian national constituencies define the communities, which is a good sign to focus and assess the conditions of minorities. But, there are cases where defining identity of a particular group is considered problematic. Like the Ahmadi's in Pakistan, Nepali speaking Lhotsampas face identity crisis. Where Ahmadi faces exclusion from the dominant Muslim community, and are not officially declared minority, and on the other side Lhotsampas have been declared as non citizens making them stateless. Likewise, large sections of Muslim Bengali speakers in the Indian state are often labeled 'Bangladeshi', implying illegal migrants and are questioned on their citizenship.

The principal organization in the region SAARC has also failed to address the human rights violation issue. It has established a number of conventions though none of them specifically mentions minorities or minority rights. It can be credited of bringing the issue in debate, rising multiple stake holders and increasing awareness. Regardless of this it has lacked the implementing ability; it has failed to convert agreements into roadmaps of action working multilaterally. SAARC also lacks a mechanism to settle disputes within its organization, something that has hindered the development of a regional South Asian concept of peace and security <sup>[6]</sup>.

### Politics of ethnicity

The process of national integration, economic development and the task of nation building has often found challenged by the rise of ethno-nationalism or alternatively known as "politicization of ethnicity". South Asia is one of the few regions which is experiencing high level of ethnic dissonance. Both intensity and frequency of ethnic conflict seemed to have increased. In Bangladesh, the indigenous people of the Chittagong Hill Tracts are called Jumma Adivasi, meaning the 'earliest inhabitants' having a distinct and diverse culture and their livelihoods depends mostly on shifting cultivation or

jhum. This region has been the site of violent ethnic conflict for decades, which has displaced tens of thousands of indigenous people. The lands they vacated were occupied by Bengali settlers or taken by the government for development projects including a hydroelectric project that flooded vast swathes of cultivable land and displaced thousands of indigenous people. Activists say the government did not seek the consent of the Pahari people before taking their traditional lands <sup>[7]</sup>.

Bangladesh is also witnessing one of the messed up situation of Rohingya refugee crisis. According to the United Nations estimates that almost 1 million Rohingya refugees have fled Myanmar's violent campaign of ethnic cleansing and moved into refugee settlements in Cox's Bazar, Bangladesh. It was affected with large-scale population movements across borders creating socio economic problems for ruling elites and the local population. India too has seen Rohingyas migrating to places like Jammu and Kashmir, Uttar Pradesh which has alarmed the Narendra Modi government which is concerned over Rohingyas' stay in India for security regions. In its affidavit to the Supreme Court, the government said that some of the Rohingyas with militant background were found to be very active in some of the bordering Indian territories. They have been identified as having a very serious and potential threat to the internal and national security of India, the Centre told the Supreme Court. Nepal is one of the worst hit regions in South Asia suffering ethnic conflict. After the government of Nepal signed a peace agreement with the Communist Party of Nepal-Maoist in 2006 to end a 10 year civil war, local and international observers were surprised to see new fighting erupt in the Terai region of southern Nepal<sup>8</sup>. Madhesi political groups launched their first mass protests against the country's interim constitution in 2007. Madhesis - who form more than one-third of the country's population - are demanding political and economic representation in proportion to their population and claimed that the constitution failed to address their demand.

In Afghanistan threats are increasing for its Shiite Muslim minority, the targets of a spate of recent attacks that have highlighted the government's inability to secure places of worship and added a troubling sectarian dimension to the country's long-running conflict. The groups who call themselves Daesh or associate themselves with the group are targeting ethnic and religious groups in Afghanistan, causing is a serious violation of the laws of war, and an apparent war crime said United Nations Assistance Mission in Afghanistan (UNAMA) 's Director of Human Rights in Afghanistan.

An April 11, 2017 analysis Pew Research Center analysis of 198 countries ranked India as fourth worst in the world for religious intolerance <sup>[11]</sup>. Tensions between religious groups—especially majority Hindus and minority Muslims—has long divided India, but the rifts have intensified. Mob violence has threatened not just the Muslim community but also other minorities. In 2016, seven members of a Dalit family were attacked by cow vigilantes in the state of Gujarat, which led to mass protests by the Dalit community. Attacks on Christians remain under-reported, but incidents involving churches and priests accused of converting Hindus to Christianity continue <sup>[12]</sup>.

In Sri Lanka, the larger Buddhist and Hindu populations are

seen having undercurrents of anti-Muslim and anti-Christian sentiment amongst them. Pakistan is still facing a low-key conflict in the province of Balochistan, which gnaws at the country's overall development. Bhutan often characterized as a land of perpetual happiness, in the 1990s, expelled the Lhotshampa, an ethnic group with its origins in Nepal which are still found in camps in Nepal, lost in their own country. The camps have an estimated population of 18,000. Conditions inside the camps are hard, as they were never meant to be a permanent solution.

State's inability to protect minority groups from violence against private parties (mostly militant arms of fundamentalist groups movements and individual and group acts of violence) is one of the main reason of its failure. Examples here include the violence by Afghan Taliban on Hazaras and women and other minorities in Afghanistan; by groups such as the Jamaat-ul-Mujahideen Bangladesh (JMB) on minorities and progressive bloggers in Bangladesh; by Bajrang Dal, Shiv Sena against Muslims and Christians in India; by militant Islamist groups such as Sipah-e-Sahaba, Lashkar-e-Jhangvi and Pakistan Taliban against Shias, Hazaras and other minorities in Pakistan; and in Sri Lanka in recent years against Muslims and Tamils by Buddhist nationalist groups such as the Sinhala Ravaya. And also laws such as Blasphemy and anti-Ahmadi laws in Pakistan, Vested Property regulations in Bangladesh and laws against cow slaughter and conversions in India provide opportunities for biased state actors together with private anti-minority groups to perpetrate violence against vulnerable members of minority groups.

### Conclusion

The main reasons for the discrimination and poor condition of minorities is due to the absence of regional instruments or mechanisms in place for minority rights protection and promotion in South Asia, combined with weak policy commitments by the region's governments. The other important role played is by domestic civil society in protecting, realizing the rights of minorities and also document human rights violations, monitor the government's implementation of national and international instruments, and hold officials accountable for rights violations against minority groups.

There needs to be efforts made towards establishing systems and processes for collecting and documenting disaggregated data on a range of relevant indicators as well as on insights on the processes through which minority rights are delivered or denied in various South Asian nations. This will be very helpful in raising awareness on the subject, especially when used with effective media strategies to educate people within countries and in bringing the debate on public platform. And also an absence of regional forums, strong civil society campaign network makes it difficult to build consensus on policy developments. Equally important is the need for regional programmes that support grassroots organizations of minorities to build community capacity and empowering minority groups to organize and raise their voice against any discrimination. Minority group needs to be sensitized of their rights. It is necessary to strengthen safeguards for minorities where they exist and create new ones where they do not, at both regional and national level.

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